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DEC 5 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NOS. 1657 AND 1699

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NOV 17 2005

FILED
CLERK'S OFFICE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1657- IN RE VIOXX PRODUCTS LIABILITY LITIGATION

**MDL-1699- IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

MDL-1657 CONDITIONAL TRANSFER ORDER (CTO-31)

WITH SEPARATION, REMAND AND

MDL-1699 CONDITIONAL TRANSFER ORDER (CTO-5)

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

DEC 6 2005

FILED

LORETTA G. WHYTE
CLERK

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings in MDL-1657 pursuant to 28 U.S.C. § 1407. Since that time, 2,150 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

On September 6, 2005, the Panel transferred 30 civil actions to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings in MDL-1699 pursuant to 28 U.S.C. § 1407. Since that time, 121 additional actions have been transferred to the Northern District of California. With the consent of that court, all such actions have been assigned to the Honorable Charles R. Breyer.

It appears that the actions on this conditional transfer order involve questions of fact which are common to: 1) the actions in MDL-1657 previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon; and 2) the actions in MDL-1699 previously transferred to the Northern District of California and assigned to Judge Breyer. Each of these actions comprises two sets of claims, as follows: 1) claims relating to the prescription drug Vioxx that involve common questions of fact with the previously transferred MDL-1657 actions; and 2) claims relating to the prescription drugs Bextra and/or Celebrex that involve common questions of fact with the previously transferred MDL-1699 actions.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the MDL-1657 transfer order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

DEC - 5 2005

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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DEC 12 2005

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

— Fee _____
— Process _____
☒ Dkt _____
— CtRmDep _____
— Doc. No. _____

The claims in each action relating to Bextra and/or Celebrex are hereby separated and remanded, under 28 U.S.C. § 1407(a), to their respective transferor courts.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Bextra/Celebrex actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the MDL-1699 transfer order of September 6, 2005, ___ F.Supp.2d ___ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Charles R. Breyer.

This order does not become effective until it is filed in the offices of i) the Clerk of the United States District Court for the Eastern District of Louisiana, and ii) the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerks shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

**SCHEDULE CTO-31 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

**SCHEDULE CTO-5 - TAG-ALONG ACTIONS
DOCKET NO. 1699
IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	EDLA SECT. L/3
ALABAMA NORTHERN		
ALN 2 05-2059	Charlotte Woodruff, et al. v. Merck & Co., Inc., et al.	05-6383
CALIFORNIA NORTHERN		
CAN 4 05-3943	Warren Wayne Graham v. Merck & Co., Inc., et al.	05-6384
KENTUCKY EASTERN		
KYE 7 05-329	Patricia M. Moore v. Merck & Co., Inc., et al. Opposed 12/2/05	
KENTUCKY WESTERN		
KYW 3 05-561	Rhoda Overstreet v. Merck & Co., Inc., et al. Opposed 12/2/05	
KYW 3 05-562	Randall R. Jackson, et al. v. Merck & Co., Inc., et al. Opposed 12/2/05	
KYW 3 05-577	Bonnie Mullins, et al. v. Merck & Co., Inc., et al. Opposed 12/2/05	
KYW 3 05-623	Ernest D. Weber, Jr., et al. v. Merck & Co., Inc., et al. Opposed 12/2/05	
MINNESOTA		
MN 0 05-2305	Ira Basinger, et al. v. Merck & Co., Inc., et al.	05-6385
MISSOURI EASTERN		
MOE 4 05-1562	Lonnie Case v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1563	Jessie Abbott v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1564	Bertha Armstead v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1565	Berlin Jenkerson v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1587	Lash Angel, et al. v. Merck & Co., Inc., et al.	05-6386
MOE 4 05-1588	Martha Vowell, et al. v. Merck & Co., Inc., et al.	05-6387
MOE 4 05-1589	Martha Hallman, et al. v. Merck & Co., Inc., et al.	05-6388
MOE 4 05-1590	David Wagner v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1592	John Kaczmarezyk v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1666	Jerry M. Dance v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1669	Doris Crenshaw v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1741	Jeanette Lasky v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1744	Francesca A. Salmieri v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1746	Vincent Calamia v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1747	Thomas Kasper v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1748	Bernadean Acreman v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1750	Josephine Tourville v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1751	Jacqueline M. Lawrence v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1752	Adele Anthon v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1753	James B. Elgin, Jr. v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1755	Richard Menzel v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1756	Marcy A. West v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1757	Hilda L. Tucker v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1758	Arzie Stephens v. Merck & Co., Inc., et al. Opposed 12/2/05	
MOE 4 05-1761	Mattie Boswell, et al. v. Merck & Co., Inc., et al.	05-6389
MOE 4 05-1785	Lavella Hon v. Pfizer, Inc., et al.	05-6390
MOE 4 05-1791	John Ayers v. Pfizer, Inc., et al.	05-6391

SCHEDULE CTO-31 TAG-ALONG ACTIONS (MDL-1657)
SCHEDULE CTO-5 TAG-ALONG ACTIONS (MDL-1699)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	EDLA SECT. L/3
MOE 4 05-1792	Sharron Mann v. Pfizer, Inc., et al.	05-6392
MOE 4 05-1849	Cheryl Rice, et al. v. Merck & Co., Inc., et al.	05-6393
MISSOURI WESTERN		
MOW 4 05-934	Charles Reliford, et al. v. Merck & Co., Inc., et al.	05-6394
MOW 4 05-936	Larry Redman v. Merck & Co., Inc., et al.	05-6395
NEW YORK NORTHERN		
NYN 5 05-1222	Mary Wegerski v. Merck & Co., Inc., et al.	05-6396
NYN 6 05-1218	Richard Zupkas, et al. v. Merck & Co., Inc., et al.	05-6397
OREGON		
OR 3 05-1569	Le Nguyen v. Merck & Co., Inc., et al.	05-6398
PUERTO RICO		
PR 3 05-2020	William Lopez-Lopez, et al. v. Astra Merck, Inc., et al.	05-6399
PR 3 05-2022	Juan Lasalle-Lopez, et al. v. Astra Merck, Inc., et al.	05-6400
PR 3 05-2023	Luz M. Salinas-Roldan, et al. v. Astra Merck, Inc., et al.	05-6401
PR 3 05-2024	Rosaura Quiles-Rivera, et al. v. Astra Merck, Inc., et al.	05-6402
PR 3 05-2026	Herminia Sansotta-Navarro, et al. v. Astra Merck, Inc., et al.	05-6403
PR 3 05-2030	Maria Isabel Velez-Reyes, et al. v. Astra Merck, Inc., et al.	05-6404
PR 3 05-2033	Elsie Roman-Iglesias, et al. v. Astra Merck, Inc., et al.	05-6405
PR 3 05-2034	Jose Antonio Alicea-Mercado, et al. v. Astra Merck, Inc., et al.	05-6406
PR 3 05-2035	Gloria Pilar Santiago-Serrano, et al. v. Astra Merck, Inc., et al.	05-6407
PR 3 05-2036	Carmen Marcial-Hernandez, et al. v. Astra Merck, Inc., et al.	05-6408
PR 3 05-2038	Arnaldo Ramos-Martir, et al. v. Astra Merck, Inc., et al.	05-6409
PR 3 05-2039	Wilfredo Rodriguez-Feliciano, et al. v. Astra Merck, Inc., et al.	05-6410
PR 3 05-2042	Luis R. Carrion-Velez, et al. v. Astra Merck, Inc., et al.	05-6411
PR 3 05-2043	Luis Angel Gonzalez-Rodriguez, et al. v. Astra Merck, Inc., et al. Vacated 12/2/05	
PR 3 05-2044	Grisella Lopez-Magobet, et al. v. Astra Merck, Inc., et al.	05-6412
PR 3 05-2045	Teresita Falcon-Matos, et al. v. Astra Merck, Inc., et al.	05-6413
PR 3 05-2046	Gloria Lamourt-Cardona, et al. v. Astra Merck, Inc., et al.	05-6414
PR 3 05-2047	Maria Lopez-Sanchez, et al. v. Astra Merck, Inc., et al.	05-6415
PR 3 05-2048	Esther Cordova-Perez, et al. v. Astra Merck, Inc., et al.	05-6416
PR 3 05-2050	Hector B. Rivera-Rivera, et al. v. Astra Merck, Inc., et al.	05-6417
TENNESSEE EASTERN		
TNE 1 05-277	Susan H. Scissom, etc. v. Merck & Co., Inc., et al.	05-6418